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U.S. Department of Justice

United States Attorney  
Southern District of New York

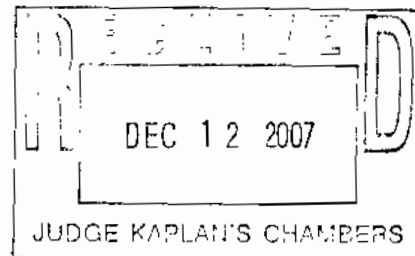
**MEMO ENDORSED**

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

December 12, 2007

**BY HAND**

Honorable Lewis A. Kaplan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



**Re: United States v. Joseph A. Tricario  
S31 06 Cr. 08 (LAK)**

Dear Judge Kaplan:

The Government respectfully submits this letter in order to request a two-week extension of time in which to file its responses to the pre-trial motions that were filed by defendant Joseph Tricario.

On September 4, 2007, the Court ordered that the defendant file his pre-trial motions on or before December 1, 2007, and that the Government respond on December 15, 2007. On December 3, 2007, the defendant filed his pre-trial motions including: (i) a request for a bill of particulars; (ii) a motion to dismiss on venue grounds; and (iii) a request for a hearing to determine the audibility of recorded conversations.

The Government submits this letter to ask for an adjournment of two weeks, until December 31, 2007, to file its response. While the Government had hoped to file its response by the December 15 deadline, several things have prevented that from occurring. First, the undersigned Assistant United States Attorney, who is primarily handling the response to the defendants motions, was on work-related travel in South America until Thursday, December 6, 2007 and then began a trial on Monday December 10, 2007. That trial is ongoing, the jury is currently deliberating. The other Assistant who is involved in this matter, is traveling on a long planned family vacation beginning on December 18. That Assistant will not return until

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December 25, 2007.

Accordingly, for the foregoing reasons, the Government requests that it be allowed a two-week extension of time to file its response to these pre-trial motions, from Saturday, December 15, 2007 until Monday, December 31, 2007. Counsel for the defendant, Douglas Tween, Esq., does not oppose this request.

Respectfully submitted,

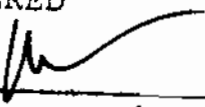
MICHAEL J. GARCIA,  
United States Attorney  
Southern District of New York

By: 

Eric Snyder  
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Assistant United States Attorneys  
(212) 637-2534/2315

cc (By email): Douglas M. Tween, Esq.

*Granted*  
SO ORDERED

  
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LEWIS A. KAPLAN USDJ  
*12/14/07*